

**2015 -- S 0697 SUBSTITUTE A**

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LC002116/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2015**

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A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- PUBLIC MOTOR VEHICLES

Introduced By: Senators Pearson, Crowley, Picard, and Archambault

Date Introduced: March 18, 2015

Referred To: Senate Commerce

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 39-14.1-1 and 39-14.1-6 of the General Laws in Chapter 39-14.1  
2 entitled "Public Motor Vehicles" are hereby amended to read as follows:

3           **39-14.1-1. Definitions.** -- Terms used in this chapter shall be construed as follows, unless  
4 another meaning is expressed or is clearly apparent from the language or context:

5           (1) "Certificate" means a certificate of operating authority issued to a public motor  
6 vehicle;

7           (2) "Charter carrier" means a provider of transportation services to groups such as:  
8 lodges, bands, athletic teams, schools or other travel groups, assembled by someone other than  
9 the carrier who collectively contracts for the exclusive use of certain equipment for the duration  
10 of a particular trip or tour. Charter carrier services shall also include transportation services  
11 provided by employment agencies or employers to individuals in the context of providing  
12 transportation to and from their place of employment;

13           (3) "Common carrier" as used in this chapter, means any person engaging in the business  
14 of providing transportation services for compensation to passengers through the use of a public  
15 motor vehicle as defined in this chapter;

16           (4) "Division" means the division of public utilities and carriers;

17           (5) "Driver" means any person operating a motor vehicle used for the transportation of  
18 passengers which he or she owns or is operating with the expressed or implied consent of the  
19 owner;

1 (6) "Person" means and includes any individual, partnership, corporation, or other  
2 association of individuals;

3 (7) "Public motor vehicle" means and includes every motor vehicle for hire, other than a  
4 jitney, as defined in § 39-13-1, or a taxicab or limited public motor vehicle, as defined in § 39-14-  
5 1, used for transporting members of the general public for compensation in unmarked vehicles at  
6 a predetermined or prearranged charge to such points as may be directed by the passenger. All  
7 vehicles operated under this chapter shall conform to specifications established by the division.  
8 Transportation services provided by charter carriers, as defined in this chapter, or by funeral  
9 homes in association with funeral services, and by ambulance companies shall be exempt from  
10 this chapter;

11 (8) "Unmarked vehicles" means motor vehicles that do not display the transportation  
12 company's name, address or telephone number, or any advertisements or commercial information  
13 beyond that included by the vehicle's manufacturer on the vehicle's exterior surfaces; provided,  
14 however, that public motor vehicles that display markings identifying them as service or courtesy  
15 vehicles used by licensed health care facilities, assisted living residences, and adult day care  
16 programs, licensed by the department of health pursuant to chapter 17 of title 23 (licensing of  
17 health care facilities), chapter 17.4 of title 23 (assisted living residence licensing act) and § 23-1-  
18 52 (adult day care program licensure), respectively, shall be permitted to operate with such  
19 markings provided the vehicles are registered to these licensed entities, operated by employees of  
20 these licensed entities and that the services provided with these vehicles, when being used as  
21 public motor vehicles, is limited to transportation services provided to passengers receiving  
22 transportation services through a program funded by the federal government and/or the state of  
23 Rhode Island; provided, further, that public motor vehicles providing transportation services  
24 under a program funded by the federal government and/or the state of Rhode Island may display  
25 temporary and easily removable markings (e.g., magnetic placards) on their vehicles for the sole  
26 purpose of identifying the vehicles as authorized transportation service vehicles operating in  
27 association with the publicly-funded program.

28 (9) "Wheelchair accessible public motor vehicle" means a public motor vehicle designed  
29 and equipped to allow the transportation of a person(s) who uses a wheelchair without requiring  
30 that person(s) to be removed from the wheelchair, but such public motor vehicle is not restricted  
31 to transporting only persons using wheelchairs.

32 **39-14.1-6. Operations of public motor vehicles.** -- No public motor vehicle shall be  
33 operated from any taxicab stand on any public highway; nor shall the operator of it transport any  
34 passenger for hire unless the transportation is requested by the passenger at an office of the owner

1 of the vehicle, either personally or by telephone and/or other electronic means. When solicited by  
2 a prospective customer the certificate holder or its representative shall quote what the actual  
3 charge for the requested transportation service will be prior to picking up the passenger(s).

4 The division shall establish and set a minimum allowable charge for public motor  
5 vehicle services. The minimum allowable charge provisions of this section shall not apply to  
6 public motor vehicle service coordinated by or paid for by a state department, authority or agency  
7 on behalf of clients of said state department, authority or agency; provided, however, that the  
8 state department, authority or agency requests the service no later than the day before the service  
9 is to be rendered. This exemption shall also apply in cases where the state has contracted with a  
10 private company to coordinate the scheduling and provision of such transportation services,  
11 provided the funding for such transportation services comes exclusively through a program  
12 funded by the federal government and/or the state of Rhode Island.

13 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would exempt private transportation companies that contract with the state from  
2 both the minimum allowable charge requirement and that the service be provided in "unmarked  
3 vehicles", provided that the funding for such services comes exclusively from the federal and/or  
4 state government.

5           This act would take effect upon passage.

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